

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

In Re:

INTERNATIONAL HOME PRODUCTS, INC.

Debtor

FISRTBANK-PUERTO RICO, INC.,

Plaintiff,

v.

ANDREW BERT FOTI, et al.,
Defendants.

Case No. 12-02997 (ESL)

Chapter 11

Adv. Proc.No. 12-279

(Removal of San Juan Superior Court
Actions, Civil Case No. KAC2012-0446)

NOTICE OF WITHDRAWAL OF MOTION TO REMAND

TO THE HONORABLE BANKRUPTCY COURT:

COMES NOW FirstBank-Puerto Rico (the “Bank”), as secured creditor of debtors International Home Products, Inc. (“IHP”) and Health Distillers International, Inc. (“HDI”) (collectively “Debtors”), through the undersigned counsel, and pursuant to Bankr. P. Rule 7064, very respectfully states and prays:

1. This case was removed from the San Juan Superior Court, Case No. KAC 2012-0446 by IHP, HDI and Andrew Bert Foti. See Dkt. 1. Originally, the case herein also included another removed case, consolidated with the present one, Commonwealth Case No. KAC 2012-0444. However, such dispute was settled and adjudicated. See Dkts. 82 and 85.

2. The Bank moved to remand this suit to the Commonwealth Court on June 25, 2012, see Dkt. 8, and the motion is still *sub judice*. However, the Bank believes that it is unwise and contradictory to continue questioning the Court's jurisdiction given the fact that the case has been ongoing for almost an entire year in the Bankruptcy Court.

WHEREFORE, the Bank respectfully requests that the Honorable Court take note of the foregoing, consider the Bank's Motion to Remand as withdrawn and take any further actions it may deem appropriate to adjust the docket to this new circumstance.

RESPECTFULLY SUBMITTED.

NOTICE ON TIME TO RESPOND

Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

In San Juan, Puerto Rico, today April 26, 2013.

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Attorneys for First Bank-Puerto Rico

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will notify all parties registered through their attorneys of record.

In San Juan, Puerto Rico, today April 26, 2013.

/s/ BRIAN M. DICK-BIASCOECHEA

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